

# **Exhibit G**



Kohlmann Exhibit 1.txt

1101

1 APPEARANCES: (Cont'd.)

2 FOR DEFENDANT CHAPMAN: JOHN K. ZWERLING, ESQ.  
3 LISA BONDAREFF KEMLER, ESQ.  
4 Zwerling & Kemler, P.C.  
5 108 North Alfred Street  
6 Alexandria, VA 22314

7 FOR DEFENDANT HAMDAD  
8 ABDUR-RAHEEM: WILLIAM B. CUMMINGS, ESQ.  
9 William B. Cummings, P.C.  
10 112 South Pitt Street  
11 Alexandria, VA 22314

12 FOR DEFENDANT CALIPH BASHA  
13 IBN ABDUR-RAHEEM: CHRISTOPHER AMOLSCH, ESQ.  
14 Law Office of Christopher Amolsch  
15 221 South Fayette Street  
16 Alexandria, VA 22314

17 ALSO PRESENT:  
18 S.A. WADE AMMERMAN  
19 S.A. BRIAN BALGAARD  
20 DANIEL GROOMS, SAUSA  
21 SHEILA MYRICK  
22 BOBBY WILLIAMS  
23 S.A. JOHN WYMAN

24 OFFICIAL COURT REPORTER: ANNELIESE J. THOMSON, RDR, CRR  
25 U.S. District Court, Fifth Floor  
401 Courthouse Square  
Alexandria, VA 22314  
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## Kohlmann Exhibit 1.txt

1102

I N D E X				
	DIRECT	CROSS	REDIRECT	RECROSS
1				
2				
3	WITNESSES ON BEHALF OF			
4	THE GOVERNMENT:			
5	Monte Salot	1104	1123 1127	1135 1141 1143
6	Evan F. Kohlmann	1147	1189 1190 1193 1195	1206 1209
7				
8	Ibrahim Ahmed Al-Hamdi		1212	1249 1267
9	(Recalled)		1220 1236 1239	
10				
11				

EXHIBITS			
		MARKED	RECEIVED
12			
13			
14	GOVERNMENT'S:		
15	No. 2C2		1146
16	4C3		1106
17	5A6a	1174	1186
18	7C17		
19			
20			
21			
22			
23			
24			
25			

1147

Kohlmann Exhibit 1.txt

1 MR. KROMBERG: The next witness is Evan Kohlmann, and  
2 while Mr. Kohlmann is walking in, Judge, what I'd propose that we  
3 do is we will try and pull out individual pages of 2C2 that  
4 should not have the problems that you're referring about that  
5 seem extraneous. If we find particular pages that were sent to  
6 us by the Vesta Technologies people, we'll try and identify that  
7 by the end of the day and propose them. Then we'll know by the  
8 end of the day whether we need to bring somebody from Vesta in  
9 here.

10 THE COURT: Right. I envision that there might be  
11 other pages within here that you want, yes.

12 MR. KROMBERG: Thank you, Your Honor.

13 EVAN F. KOHLMANN, GOVERNMENT'S WITNESS, SWORN

14 MR. KROMBERG: Your Honor, in view of the speed at  
15 which we've been going and some of the things that have gotten  
16 into evidence, we -- and in view of the Court's statements to us,  
17 we are no longer offering Mr. Kohlmann as an expert. We are not  
18 asking him to testify about the things we had said that he would  
19 be an expert on. We're going to try and restrict it to the  
20 things that he personally did and that he personally saw.

21 THE COURT: All right.

22 MR. KROMBERG: Thank you, Your Honor.

23 DIRECT EXAMINATION

24 BY MR. KROMBERG:

25 Q. Please state your name and spell your last name.

Kohlmann Exhibit 1.txt

1 A. My name is Evan F. Kohlmann. My last name is spelled  
2 K-o-h-l-m-a-n-n.  
3 Q. Mr. Kohlmann, you're a third year law student?  
4 A. That's correct. I'm at the University of Pennsylvania Law  
5 School.  
6 Q. Okay. In your -- let's move right into this. Can you take  
7 a look -- did you prepare a series of slides for your testimony?  
8 A. Yes, I did.  
9 MR. KROMBERG: Okay. Can we bring up the first slide?  
10 How about the second slide?  
11 MR. ZWERLING: Have we seen these?  
12 MR. KROMBERG: These are all exhibits you've seen  
13 except for this one that says "Witness Testimony by Evan  
14 Kohlmann." Everything else is something you've seen.  
15 MR. ZWERLING: That fooled me, Your Honor.  
16 THE COURT: All right.  
17 MR. KROMBERG: Okay. Next slide, please.  
18 Judge, could we have our -- our audiovisual person says  
19 we have an issue. If I could have just a moment?  
20 THE COURT: The witness needs to stay there.  
21 AGENT BALGAARD: Is this how it looks, sir?  
22 THE WITNESS: No, click on the --  
23 THE COURT: All right, Mr. Kohlmann, go quickly and --  
24 THE WITNESS: Yes, Your Honor, thank you.  
25 BY MR. KROMBERG:

1149

1 Q. Okay. Now, what should be on the screen -- never mind.

# **Exhibit H**

Date	Event	Citation
1980s	Throughout 1980s Bin Laden is a leader of the mujahideen closely allied with and supported by the U.S. to end Soviet occupation of Afghanistan.	<u>Overview of the Enemy</u> , Staff Statement No. 15, National Commission on Terrorist Attacks Upon the United States, (2004) at 1; Kenneth Katzman, <u>Afghanistan: Current Issues and U.S. Policy</u> , Congressional Research Service, Aug. 27, 2003, at CRS-2 (providing estimates of U.S. covert funding to the mujahideen through 1991).
July 2, 1986	Congress formally declares U.S. support for the mujahideen.	S.J. Res. 365, 99 <sup>th</sup> Cong., 100 Stat. 756 (1986).
1988	Date accepted by plaintiffs' lead investigator for the document described by the United States Government in 2003 as "a handwritten draft list of the people referred to within al Qaeda as the 'Golden Chain,' wealthy donors to mujahideen efforts."	Witness Statement of Jean-Charles Brisard, (May 21, 2003), in <u>Bin Mahfouz v. Beaton, et al.</u> , UK HCJ No. HC 03X00518, at ¶ 7; Government's Evidentiary Proffer Supporting the Admissibility of Coconspirator Statements in <u>U.S. v. Arnaout</u> , No. 02-CR-892 (N.D. Ill. Jan. 6, 2003), at 30, available at <a href="http://news.findlaw.com/-hdocs/docs/bif/usarnaout10603prof.pdf">http://news.findlaw.com/-hdocs/docs/bif/usarnaout10603prof.pdf</a> .
July 26, 1989	United Nations report states "[i]n violation of the Geneva accords, both the Soviet Union and the U.S. have been supplying military aid to the Kabul Regime and the mujaheddins [sic] respectively."	U.N. Report, <u>Afghanistan: Questioning the Future</u> , (July 26, 1989) at 3, available at the National Security Archive, Doc. No. AF02302.
September 13, 1991	United States ends support for mujahideen	James A. Baker and Boris D. Pankin, <u>US-Soviet Joint Statement on Afghanistan</u> (Sept. 13, 1991), in <u>Dep't of State Dispatch</u> , Sept. 16, 1991, available at <a href="http://dosfan.lib.uic.edu/ERC/-briefing/dispatch/1991/html/Dispatch-v2no37.html">http://dosfan.lib.uic.edu/ERC/-briefing/dispatch/1991/html/Dispatch-v2no37.html</a> ; see also Transcript, <u>U.S. v. El Hage, et al.</u> , No.98CR1023, (S.D.N.Y. Feb. 14, 2001) at 539 (the U.S. government stipulated that the United States provided economic and military support to the Afghan mujahideen through September 1991).
January 23, 1995	President Clinton signs Executive Order 12947, imposing sanctions on twelve Middle East terrorist groups. Neither al Qaeda nor bin Laden is mentioned.	Ex. Order 12947 (Jan. 23, 1995); Robin Wright, <u>Islam in the '90s: A Study of Diversity</u> , Los Angeles Times, Feb. 7, 1995 at 1 (quoting comment by Philip C. Wilcox, jr., State Department Coordinator for Counter-Terrorism, that "there is little hard evidence of a coordinated international network or command and control apparatus among these groups.")
August 23, 1996	Bin Laden publishes first public fatwa threatening violence against U.S. military interests in the Gulf.	Report of the National Commission on Terrorist Attacks Upon the United States (2004) at 59 ("2004 9/11 Commission Report"); Affirmation of Patrick J.



		Fitzgerald, <u>U.S. v. El Hage, et al.</u> , No. 98CR1023, (S.D.N.Y.), Dec. 30, 1999 at ¶¶ 12, 15.
November 27, 1996	Bin Laden states that he “had thought that the Riyadh and al Khobar blasts were a sufficient signal to U.S. decision-makers to avert a real battle between the Islamic nation and U.S. forces.”	Affirmation of Patrick J. Fitzgerald, <u>U.S. v. El Hage, et al.</u> , No. 98CR1023, (S.D.N.Y.), Dec. 30, 1999 at ¶ 16 (citing interview given by Bin Laden to the London Arabic Newspaper, <i>Al Quds Al Arabi</i> ).
May 11, 1997	CNN airs interview with Bin Laden in which he restates his desire to expel the U.S. military from Saudi Arabia.	Affirmation of Patrick J. Fitzgerald, <u>U.S. v. El Hage, et al.</u> , No. 98CR1023, (S.D.N.Y.), Dec. 30, 1999 at ¶ 17.
1997	1997 National Intelligence Estimate on terrorism briefly mentions Bin Laden, but no subsequent national estimate would authoritatively evaluate the terrorism danger until after 9/11.	2004 9/11 Commission Report at 118.
February 1998	Al Qaeda makes general declaration of war against United States.	2004 9/11 Commission Report at 67 (“the February 1998 fatwa thus seems to be a kind of public launch of a renewed and stronger al Qaeda”)
August 7, 1998	Bombings of the U.S. Embassies in Nairobi, Kenya and Dar-es-Salaam, Tanzania.	Remarks by the President, (Aug. 7, 1998), available at <a href="http://www.state.gov/www/regions/africa/bombing_clinton.html">http://www.state.gov/www/regions/africa/bombing_clinton.html</a> .
August 21, 1998	President Clinton signs Executive Order blocking assets of bin Laden and al Qaeda, as international terrorists.	Ex. Order 13099 (Aug. 21, 1998).
November 4, 1998	U.S. Government releases Grand Jury indictment of Bin Laden sealed since June 1998.	2004 9/11 Commission Report at 110; Press Release, U.S. Dep’t of Justice (Nov. 4, 1998), available at <a href="http://jya.com/usa110498.htm">http://jya.com/usa110498.htm</a> .
March or April 1999	Bin Laden authorizes the 9/11 plot.	2004 9/11 Commission Report at 154.
October 8, 1999	U.S. publicly designates al Qaeda as Foreign Terrorist Organization.	64 Fed. Reg 55,112 (Oct. 8, 1999).
September 11, 2001	Attacks on America	
March 11, 2002	The U.S. first names branches of al-Haramain Islamic Foundation as terrorist financiers.	U.S. Dep’t of the Treasury, available at <a href="http://www.treas.gov/offices/eotffc/ofac/sdn/sdnew02.txt">http://www.treas.gov/offices/eotffc/ofac/sdn/sdnew02.txt</a> .